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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

<b>MEETING DATE</b> January 9, 2006	<b>CONTACT/PHONE</b> Stephanie Fuhs (805) 781-5721	<b>APPLICANT</b> Tom Girard	<b>FILE NO.</b> CO 04-0502 SUB2004-00176
<b>SUBJECT</b> Hearing to consider a request by Connie Monteiro/Thomas Girard for a Vesting Tentative Parcel Map to subdivide an existing 41,356 square foot parcel into three parcels of 7,280 square feet, 8,322 square feet and 25,827 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Grell Lane as well as a road exception request for portions of Grell Lane back to Elm Street (the nearest County maintained road). The proposed project is within the Residential Single Family land use category and is located on the south side of Grell Lane, approximately 1/4 mile east of Elm Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 04-0502 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on November 3, 2005 for this project. Mitigation measures are proposed to address Cultural Resources, Hazards and Hazardous Materials, Public Services and Utilities, Recreation and Transportation and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Airport Review Area	<b>ASSESSOR PARCEL NUMBER</b> 062-303-014, 015	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> None applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.080 - Subdivision Design Standards (Residential Single Family)			
<b>EXISTING USES:</b> Single family residence			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture/Undeveloped <i>South:</i> Residential Single Family/Residences</div><div><i>East:</i> Residential Single Family/Residences <i>West:</i> Residential Single Family/Residences</div></div>			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Oceano/Halcyon Community Advisory Council, Public Works, Environmental Health, Ag Commissioner, County Parks, Oceano Community Services District, APCD	
TOPOGRAPHY: Mostly level	VEGETATION: Grasses, ornamental landscaping, pines
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano Community Services District	ACCEPTANCE DATE: July 22, 2005

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street	6,000 square feet
Slope	Average slope is between 0 and 15%	6,000 square feet
Water Supply and Sewage Disposal	Community Water Community sewer	6,000 square feet

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

COMBINING DESIGNATIONS: Airport Review Area: The project was reviewed by the Airport Manager and the project has been conditioned to record an avigation easement prior to issuance of construction permits.

**ROAD EXCEPTION REQUEST:** The applicant has requested a road exception for Grell Lane since it serves more than five parcels. The request also includes abandonment of Grell Lane as a public road. Public Works staff has reviewed the request and determined that an exception can be granted that allows for A-1 improvements instead of the normally required A-2 standards. It was also determined that Grell Lane should be abandoned as a public road because the potential for future development accessing Grell Lane and the possibility of additional parcels being served by Grell Lane is remote.

**COMMUNITY ADVISORY GROUP COMMENTS:** The Oceano/Halcyon Advisory Council recommended approval of the project at their June 20, 2005 meeting.

**AGENCY REVIEW:**

Public Works - Supports with conditions

Environmental Health – Stock conditions for community water and sewer

Ag Commissioner – No concerns

County Parks – Require Quimby and Building division fees

Oceano Community Services District – Grell Lane widened to 20 feet, fire department turnaround to be constructed and available prior to any new residences being constructed

APCD – No comments received

**LEGAL LOT STATUS:**

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs  
and reviewed by Kami Griffin, Supervising Planner

## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 9, 2006 for this project. Mitigation measures are proposed to address Cultural Resources, Hazards and Hazardous Materials, Public Services and Utilities, Recreation and Transportation and are included as conditions of approval.

### *Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and accessory structures.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single family residences and accessory structures.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is located in an urbanized area that does not contain significant fish or wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

*Road Improvements*

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

*Road Exception*

- K. That there are special circumstances or conditions affecting the property being subdivided because the project site is located at the end of Grell Lane which is currently a private easement serving more than five parcels. Granting of an exception will allow for A-1 improvements instead of the normally required A-2 standards and will require a fire department turnaround be constructed. This exception will allow for road improvements consistent with existing development patterns along Grell Lane.
- L. That the granting of the adjustment will not be detrimental to the traffic circulation system, the public utility and storm drainage systems, or vehicular or pedestrian safety because being subdivided is located on a private easement that is currently serving more than five parcels. Grell Lane is not a through road currently and will not be a through road with development of this project.
- M. That the granting of the adjustment will not result in any unreasonable costs in the maintenance of the improvement by the entity charged with such maintenance responsibility because the applicant will be required to provide an offer of dedication, A-1 road improvements and a fire department turnaround.
- N. That the granting of the adjustment will not be detrimental to, nor degrade, any portion of the improvement work involved in the subdivision because the adjustment will still require A-1 improvement standards for Grell Lane.

**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR CO 04-0502 (Monteiro)**

**Approved Project**

1. A vesting tentative parcel map to subdivide an existing 41,356 square foot parcel into three parcels of 7,280 square feet, 8,322 square feet and 25,827 square feet each for the purpose of sale and/or development.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Grell Lane widened to complete a 20-foot section fronting the property, including the required fire department turnaround.
  - b. Grell Lane constructed to an A-1 section from the property to Elm Street (minimum paved width to be 20 feet).
3. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - g. Tree removal and retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

#### **Drainage**

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
10. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

#### **Utilities**

11. Electric and telephone lines shall be installed underground.
12. Cable T.V. conduits shall be installed in the street.
13. Gas lines shall be installed.

#### **Design**

14. The shed on lot three be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.

#### **Fire Protection**

15. The applicant shall obtain a fire safety clearance letter from the Oceano Community Services District establishing fire safety requirements prior to filing the final parcel or tract map.

#### **Parks and Recreation (Quimby) Fees**

16. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Affordable Housing Fee**

17. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### **Easements**

18. The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.

### **Landscape Plans**

19. ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
  - a. Drainage basin fencing, if the drainage basin has a depth of 2 feet or greater as measured from the top of the rim to the lowest portion of the basin.
  - b. Drainage basin perimeter landscape screening, if the basin is fenced
  - c. Landscaping for erosion control.
20. All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within 90 days of completion of the improvements.

### **Mitigations**

21. **Prior to recordation of the final map**, the applicant shall submit a Phase II archaeological investigation, conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with the subdivision road improvements. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for the improvements.
22. **Prior to any site disturbance related to subdivision improvements**, if recommended as a result of the Phase II evaluation, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Heritage Discoveries, 1995). The Phase III program shall include at least the following:
  - a. standard archaeological data recovery practices;



- b. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.
- c. identification of location of sample sites/test units;
- d. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
- e. disposition of collected materials;
- f. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
- g. list of personnel involved in sampling and analysis.

Once approved, these measures shall be shown on all applicable plans and implemented during construction.

- 23. **Prior to commencement of map improvement construction**, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program has been completed.
- 24. **Prior to issuance of construction permits and/or subdivision improvement plans**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of monitoring reporting procedures.
- 25. **Prior to final inspection of subdivision improvements and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a final report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

#### **Additional Map Sheet**

- 26. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
  - a. That the owner(s) of lot(s) 1-3 are responsible for on-going maintenance of drainage basin fencing in perpetuity.

- b. That the owner(s) of lot(s) 1-3 are responsible for on-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity.
- c. A notice that no construction permits will be given a final inspection until the fire safety conditions established from the Oceano Community Services District are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- d. **Prior to issuance of construction permits**, the applicant shall submit a Phase II archaeological investigation conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with development of the three parcels (e.g. access roads, driveways, residences, utility trenches). The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for all site disturbance and grading associated with the development.
- e. **Prior to issuance of construction permits**, if recommended as a result of the Phase II evaluation, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Heritage Discoveries, 1995). The Phase III program shall include at least the following:
  - 1. standard archaeological data recovery practices;
  - 2. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.
  - 3. identification of location of sample sites/test units;
  - 4. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
  - 5. disposition of collected materials;
  - 6. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
  - 7. list of personnel involved in sampling and analysis.

- f. **Prior to issuance of construction permits**, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program has been completed.
- g. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
  - 1. List of personnel involved in the monitoring activities;
  - 2. Description of how the monitoring shall occur;
  - 3. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - 4. Description of what resources are expected to be encountered;
  - 5. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - 6. Description of procedures for halting work on the site and notification procedures;
  - 7. Description of monitoring reporting procedures.
- h. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
- i. **Prior to final inspection of subdivision improvements and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a final report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

### **Covenants, Conditions and Restrictions**

- 27. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
  - a. On-going maintenance of drainage basin fencing in perpetuity, if a fenced basin is required.
  - b. On-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - c. Maintenance of all local streets within the subdivision until acceptance by a public agency.
  - d. **Prior to issuance of construction permits**, the applicant shall submit a Phase II archaeological investigation conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with development of the three parcels (e.g. access roads, driveways, residences, utility trenches). The applicant shall

implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for all site disturbance and grading associated with the development.

- e. **Prior to issuance of construction permits**, if recommended as a result of the Phase II evaluation, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Heritage Discoveries, 1995). The Phase III program shall include at least the following:
  - 1. standard archaeological data recovery practices;
  - 2. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.
  - 3. identification of location of sample sites/test units;
  - 4. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
  - 5. disposition of collected materials;
  - 6. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
  - 7. list of personnel involved in sampling and analysis.
- f. **Prior to issuance of construction permits**, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program has been completed.
- g. **Prior to issuance of construction permits**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
  - 1. List of personnel involved in the monitoring activities;
  - 2. Description of how the monitoring shall occur;
  - 3. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - 4. Description of what resources are expected to be encountered;
  - 5. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - 6. Description of procedures for halting work on the site and notification procedures;
  - 7. Description of monitoring reporting procedures.

- h. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
- i. **Prior to final inspection of subdivision improvements and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a final report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

**Miscellaneous**

- 28. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 29. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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STANDARD CONDITIONS OF APPROVAL FOR  
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

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13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



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**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

FOR OFFICIAL USE ONLY (SF)

**ENVIRONMENTAL DETERMINATION NO. ED04-572**

**DATE: November 3, 2005**

**PROJECT/ENTITLEMENT:** Monteiro Parcel Map SUB2004-00176

**APPLICANT NAME:** Thomas Girard

**ADDRESS:** 1568 Cabrillo Ct., Grover Beach, CA 93433

**CONTACT PERSON:** Same as applicant

**Telephone:** 805-441-1512

**PROPOSED USES/INTENT:** Proposal by Connie Monteiro/Tom Girard/ for a vesting tentative parcel map to subdivide an existing 41,356 square foot parcel into three parcels ranging in size from 7,280 square feet to 25,827 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Grell Lane, which will result in the disturbance of approximately 7,500 square feet. The proposed project is within the Residential Single Family land use category.

**LOCATION:** The project is located at on the south side of Grell Lane, approximately 1/4 mile east of Elm Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 5 p.m. on November 17, 2005**

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

**Notice of Determination**

**State Clearinghouse No.** \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



517

**California Department of Fish and Game**  
**CERTIFICATE OF FEE EXEMPTION**  
De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Monteiro Parcel Map; CO 04-0502; ED04-572

**Project Applicant**

Name: Thomas Girard  
Address: 1568 Cabrillo Court  
City, State, Zip Code: Grover Beach, CA 93433  
Telephone #: (805) 441-1512

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination


**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☒ (X) The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ ( ) The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ ( ) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ ( ) The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_ .
- ☐ ( ) Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
**Ellen Carroll**, Environmental Coordinator  
County of San Luis Obispo

Date: 10/24/05



5-1

**COUNTY OF SAN LUIS OBISPO**  
**INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Monteiro Parcel Map    **CO 04-0502; ED 04-572**

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

STEPHANIE FURS  
Prepared by (Print)

Stephanie Furs  
Signature

10/24/05  
Date

John McKenzie  
Reviewed by (Print)

John McKenzie  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

10/25/05  
Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Thomas Girard for a vesting tentative parcel map to subdivide an existing 41,356 square foot parcel into three parcels of 7,280 square feet, 8,322 square feet and 25,827 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Grell Lane as well as a road exception request for portions of Grell Lane back to Elm Street (the nearest County maintained road). The proposed project is within the Residential Single Family land use category and is located on the south side of Grell Lane, approximately 1/4 mile east of Elm Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.

**ASSESSOR PARCEL NUMBER(S):** 062-303-014, 015

**SUPERVISORIAL DISTRICT #** 4

**B. EXISTING SETTING**

**PLANNING AREA:** San Luis Bay (Inland), Oceano

**LAND USE CATEGORY:** Residential Single Family

**COMBINING DESIGNATION(S):** Airport Review

**EXISTING USES:** Residence

**TOPOGRAPHY:** Nearly level

**VEGETATION:** Grasses , ornamental landscaping pines

**PARCEL SIZE:** 41,356 square feet

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Agriculture; undeveloped	<i>East:</i> Residential Single Family; residential
<i>South:</i> Residential Single Family; residential	<i>West:</i> Residential Single Family; residential

### C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

#### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will not be visible from any major public roadway or silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

2.	<b>AGRICULTURAL RESOURCES - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Oceano sand, (0 - 9 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV".

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in the disturbance when the two vacant parcels are developed. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

4. <b>BIOLOGICAL RESOURCES -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses , forbs , ornamental landscaping, and pines. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

vernal pool habitat.

**Impact.** A site visit of the project site was made on November 24, 2004 by Planning staff to identify the potential for vernal pool habitat and/or listed plant and fairy shrimp species. At this time, no evidence of vernal pools or potential areas for ponded water was observed. The topography on the project site is such that water would not pool in a manner consistent with the characteristics of vernal pools or seasonal wetlands. Therefore, there was no indication of habitat suitable for supporting fairy shrimp or sensitive plant species associated with vernal pools. The project site does not support any additional sensitive native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. <b>CULTURAL RESOURCES -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5. CULTURAL RESOURCES -***Will the project:*Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicabled) *Other:* \_\_\_\_\_☐☐☐☐

**Setting.** The project site is within the historic territory of the Obispeno Chumash. A Phase I archaeological investigation was conducted on portions of the project site by Heritage Discoveries, Inc. in January 1995. The results of this survey confirmed that the project is within the boundaries of a known archaeological site (CA-SLO-432) that has been the subject of several previous surveys and evaluations.

**Impact.** Since the project area represents a prehistoric occupation, there is the chance to encounter a significant feature, artifact or human remains during development of the three parcels. No impacts to historic or paleontological resources is anticipated.

**Mitigation/Conclusion.** A Phase II archaeological investigation will be required prior to any new site disturbance associated with construction of any new structures, as recommended in the Archaeological Surface Survey prepared by Heritage Discoveries, Inc. This investigation will document existing resources as well as provide mitigation measures for future development. These mitigation measures will include possible Phase III data recovery sampling. The size of the Phase III sample will be based on the density and extent of the resources discovered during the Phase II. If extensive resources are identified during the Phase II, a larger sample size will be required during the Phase III. If the resources on site are sparse, a smaller sample size will be implemented. Monitoring by a qualified archaeologist during grading and earth disturbing activities will also be required in order to allow identification and recovery of any significant cultural resources disturbed during construction. These measures will reduce potential impacts to a level of insignificance.

**6. GEOLOGY AND SOILS -***Will the project:*Potentially  
SignificantImpact can  
& will be  
mitigatedInsignificant  
ImpactNot  
Applicable

- a) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*
- b) *Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?*
- c) *Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?*
- d) *Change rates of soil absorption, or amount or direction of surface runoff?*

☐☐☒☐☐☐☐☒☐☐☒☐☐☐☒☐

## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is nearly level to gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Arroyo Grande Creek) from the proposed development is approximately 0.4 mile to the southeast. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered well drained.

**SEDIMENTATION AND EROSION** – The soil types include: Oceano sand, (0 - 9 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics.

**Impact.** As proposed, the project will result in the disturbance as the two vacant parcels are developed.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed.

## 7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** Since the project site is within the Airport Review area, an aviation easement is required to be recorded with the final parcel map. This requirement is contained within the Land Use Ordinance and will be a condition of approval for the project.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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**10. PUBLIC SERVICES/UTILITIES -**  
*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest fire station is the Oceano Fire Department station app. 1.0 mile west of the property. The closest CDF fire station (Mesa station 22) is approximately 5 miles to the south. The closest Sheriff substation is in Oceano, which is approximately 1.3 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

**Impact.** The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

**11. RECREATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** The “Quimby” fee will adequately mitigate the project’s impact on recreational facilities. No significant recreation impacts are anticipated, and no additional mitigation measures are necessary.

<b>12. TRANSPORTATION/ CIRCULATION - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce existing “Levels of Service” on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	<i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	<i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto Grell Lane. The identified roadway is operating at an acceptable level of service. A referral was sent to the Public Works Department. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 29 trips per day, based on the Institute of Traffic Engineer’s manual of 9.57/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The Oceano Community Services District (OCSO) is requiring road improvements to Grell Lane to provide for adequate emergency access including widening and a turnaround for fire vehicles.

**Mitigation/Conclusion.** Construction of the road improvements required by both Public Works and the OCSO will provide the infrastructure necessary to have adequate emergency access to the project site. No further mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be served by the Oceano Community Services District for its wastewater needs.

**Impact.** The project proposes to use a community system (Oceano Community Services District) as its means to dispose wastewater. Environmental Health has reviewed the will-serve letter from the OCSD and has determined that stock conditions of approval for community water and sewer are adequate for the project.

**Mitigation/Conclusion.** No mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use a community system (Oceano Community Services District) as

its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level. The closest creek (Arroyo Grande Creek) from the proposed development is approximately 0.4 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

**Impact.** As proposed, the project will result in the disturbance as the two vacant parcels are developed. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 2.5 acre feet/year (AFY)

$$3 \text{ residential lots (w/primary (0.85 afy))} \times 3 \text{ lots} = 2.5 \text{ afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

<b>16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

### **Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Division	<b>Attached</b>
<input type="checkbox"/>	County Agricultural Commissioner's Office	<b>Not Applicable</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Airport Land Use Commission	<b>In File**</b>
<input checked="" type="checkbox"/>	Air Pollution Control District	<b>Attached</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	OceanoCommunity Service District	<b>Attached</b>
<input checked="" type="checkbox"/>	Other <u>Parks Division</u>	<b>Attached</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<b><u>County documents</u></b>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<b><u>Other documents</u></b>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	



In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

*Archaeological Surface Survey, Heritage Discoveries, Inc., January 1995*

## Exhibit B - Mitigation Summary Table

### Cultural Resources

1. **Prior to recordation of the final map**, the applicant shall submit a Phase II archaeological investigation, conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with the subdivision road improvements. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for the improvements.
  
2. **Prior to issuance of construction permits**, the applicant shall submit a Phase II archaeological investigation conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with development of the three parcels (e.g. access roads, driveways, residences, utility trenches). The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for all site disturbance and grading associated with the development.
  
3. **Prior to any site disturbance related to subdivision improvements and issuance of construction permits**, if recommended as a result of the Phase II evaluation, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the previous archaeological investigations (Heritage Discoveries, 1995). The Phase III program shall include at least the following:
  - A. standard archaeological data recovery practices;
  - B. recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size.
  - C. identification of location of sample sites/test units;
  - D. detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected);
  - E. disposition of collected materials;
  - F. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
  - G. list of personnel involved in sampling and analysis.

H. Once approved, these measures shall be shown on all applicable plans and implemented during construction.

4. **Prior to commencement of map improvement construction and issuance of construction permits**, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program has been completed.
5. **Prior to issuance of construction permits and/or subdivision improvement plans**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
  - f. Description of procedures for halting work on the site and notification procedures;
  - g. Description of monitoring reporting procedures.
6. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
7. **Prior to final inspection of subdivision improvements and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a final report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

5-30  
**DATE: October 11, 2005**

**DEVELOPER'S STATEMENT FOR MONTEIRO VESTING TENTATIVE  
PARCEL MAP  
ED04-572 (CO 04-0502/SUB 2004-00176)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**Cultural Resources**

1. **Prior to recordation of the final map**, the applicant shall submit a Phase II archaeological investigation, conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with the subdivision road improvements. The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for the improvements.

**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinators office.

2. **Prior to issuance of construction permits**, the applicant shall submit a Phase II archaeological investigation conducted by a qualified archaeologist approved by the Environmental Coordinator, that assesses the potential impacts of all ground disturbing activities associated with development of the three parcels (e.g. access roads, driveways, residences, utility trenches). The applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator, including Phase III data recovery sampling as appropriate. This plan shall evaluate and document existing cultural resources and provide mitigation measures for all site disturbance and grading associated with the development.

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  - C. identification of location of sample sites/test units;
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  - E. disposition of collected materials;
  - F. proposed analysis of results of data recovery and collected materials, including timeline of final analysis results;
  - G. list of personnel involved in sampling and analysis.
  - H. Once approved, these measures shall be shown on all applicable plans and implemented during construction.

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  - a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
  - d. Description of what resources are expected to be encountered;

3-34

- e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinators office.

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**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinators office.

7. **Prior to final inspection of subdivision improvements and upon completion of all monitoring/mitigation activities**, the consulting archaeologist shall submit a final report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinators office.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Connie Monteiro  
Signature(s) of Owner(s)

Date 10-14-05

Name(s) (Print)



SEF

# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

5-5911  
VICTOR HOLANDA, AICP  
JUN - 9 2005 DIRECTOR

RE-  
THIS IS A NEW PROJECT REFERRAL

DATE: 6/8/05  
FROM: PUBLIC WORKS.  
South Co. Team  
(Please direct response to the above)

Monteiro  
SUB2004-00176  
Project Name and Number

Development Review Section (Phone: 788-2009)  
APN: 062-303-014  
PROJECT DESCRIPTION: Parcel map: CO 04-0502.

Subdivide 41,356 sq. ft. lot into 3. (2)  
approx 6,000 sq. ft. lots & (1) 15,986 sq. ft. lot w/  
existing structures. Located in Oceano, off Grell Ln.

INCLUDES ABANDONMENT OF GRELL LANE, AS A PUBLIC ROAD (SEE ATTACHE)  
Return this letter with your comments attached no later than: 6/27/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
\_\_\_\_ ☒ YES (Please go on to Part II)  
\_\_\_\_ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
\_\_\_\_ ☒ NO (Please go on to Part III)  
\_\_\_\_ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

ABANDONMENT of Grell Lane should be done as a SEPERATE ACTION - THIS MAP CAN  
ONLY VACATE THAT PORTION SHOWN ON THE MAP. THE LETTER SEEMS TO INDICATE THEY  
WANT TO ABANDON THE ENTIRE STREET. 21.030.010 (d)(7) - But EASEMENTS MAY, SEEM NO  
MORE THAN 5 PARCELS - IF THEY VACATE STREET do THEY GET to do THE Parcel Map?  
THE requirement to get offers on THE street was to comply with 21.03.010. My previous

27 JUNE 2005  
Date

GOODWIN  
Name

5252  
Phone (Please  
SEE  
OTHER  
SIDE)

COMMENT About lot width is no longer a concern, it is probably adequate — NONE of the maps submitted are drawn to the stated scale so when adjustments are made for the odd scale actually drawn, width appears to be 60 feet.

SINCE the road will serve more than 5 parcels our improvement suggestions will remain unchanged.

WHERE the proposed offer to DEDICATE extends onto a structure it would be reasonable to consider a narrower than 50 ft ROW. It should be no less than 40 ft however.





5-41 H  
SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

TO:

FROM:

6/8/05  
OCSD.  
South Co. Team  
(Please direct response to the above)

Monteir O  
SUB2004-00176  
Project Name and Number

Development Review Section (Phone: 788-2009)

APN: 062-303-014  
PROJECT DESCRIPTION:

Parcel map: CO 04-0502.  
Subdivide 41, 356 sq. ft. lot into 3. (2)  
approx 6,000 sq. ft. lots & (1) 15,986 sq. ft. lot w/  
existing structures. Located in Oceano, off Grell Ln.

INCLUDES ABANDONMENT OF GRELL LANE, AS A PUBLIC ROAD (SEE ATTACHED)  
Return this letter with your comments attached no later than: 6/27/05

PART I

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☒ YES (Please go on to Part II)  
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)  
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Grell Lane must be widened to 20 feet wide, with appropriate no parking signs, for its entire length before construction on any additional residences will be allowed. In addition, the Fire Department turn around as shown in Exhibit 1-A dated 2-10-05, must be actually constructed and paved, be appropriately signed and be available for Fire Department use before any construction on any additional residences will be allowed. It appears that there may not be adequate fall to supply the existing home with sewer service as shown on Exhibit 1-A and a private lift station may be required.

06-20-05  
Date

Philip T. Davis  
Name Philip T. Davis

(805) 481-6730  
Phone



5-42 T1

# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

RE-  
**THIS IS A NEW PROJECT REFERRAL**

DATE:

6/8/05

TO:

OHAC

FROM:

South Co. Team  
(Please direct response to the above)

Monteiro

SUB 2004-00176  
Project Name and Number

Development Review Section (Phone: 788-2009)

APN: 062-303-014

PROJECT DESCRIPTION:

Parcel map: CO 04-0502.  
Subdivide 41, 356 sq. ft. lot into 3. (2)  
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existing structures. Located in Oceano, off Grell Ln.  
INCORPORATED ABANDONMENT OF GRELL LANE, AS A PUBLIC ROAD (SEE ATTACH  
Return this letter with your comments attached no later than: 6/27/05

**PART I**

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES

(Please go on to Part II)

☐

NO

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II**

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒

NO

(Please go on to Part III)

☐

YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

**PART III**

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

THE COMMITTEE HAS VOTED UNANIMOUSLY TO RECOMMEND

APPROVAL OF THIS APPLICANT'S REQUEST

6.20.05  
DateJ. Wilson, Chair  
Name473-0401  
Phone



545  
County of San Luis Obispo • Public Health Department

*Environmental Health Services*

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

November 18, 2004

Tom Girard  
519 Five Cities Drive  
Pismo Beach, CA 93449

**ATTN: TOM GIRARD**  
**RE: TENTATIVE PARCEL MAP CO 04-0502 (Monteiro)**  
**SUB 2004-00176**

Water Supply and Wastewater Disposal

This office is in receipt of a preliminary intent to serve from the Oceano Community Services District to provide water and sewer services to the above noted parcel map. Be advised a final can and will serve letter will be required prior to recordation of the final map. The improvements for water and sewer shall be built or bonded for prior to final recordation.

**CO 04-0502** is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
OCSD  
Connie Monteiro, Owner



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

2004 NOV 19 PM 2:03

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

11/18/04

From!  
To:

Hanks

TO FROM:

South Co. Team

(Please direct response to the above)

Monteir O

SUB 2004-00176  
Project Name and Number

Development Review Section (Phone:

788-2009)

APN: 062-303-014

PROJECT DESCRIPTION:

Parcel map: CO 04-0502.  
Subdivide 41,356 sq. ft. lot into 3. (2)  
approx 6,000 sq. ft. lots & (1) 15,986 sq. ft lot w/  
existing structures. Located in Oceano, off Grell Ln.

Return this letter with your comments attached no later than:

12/3/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

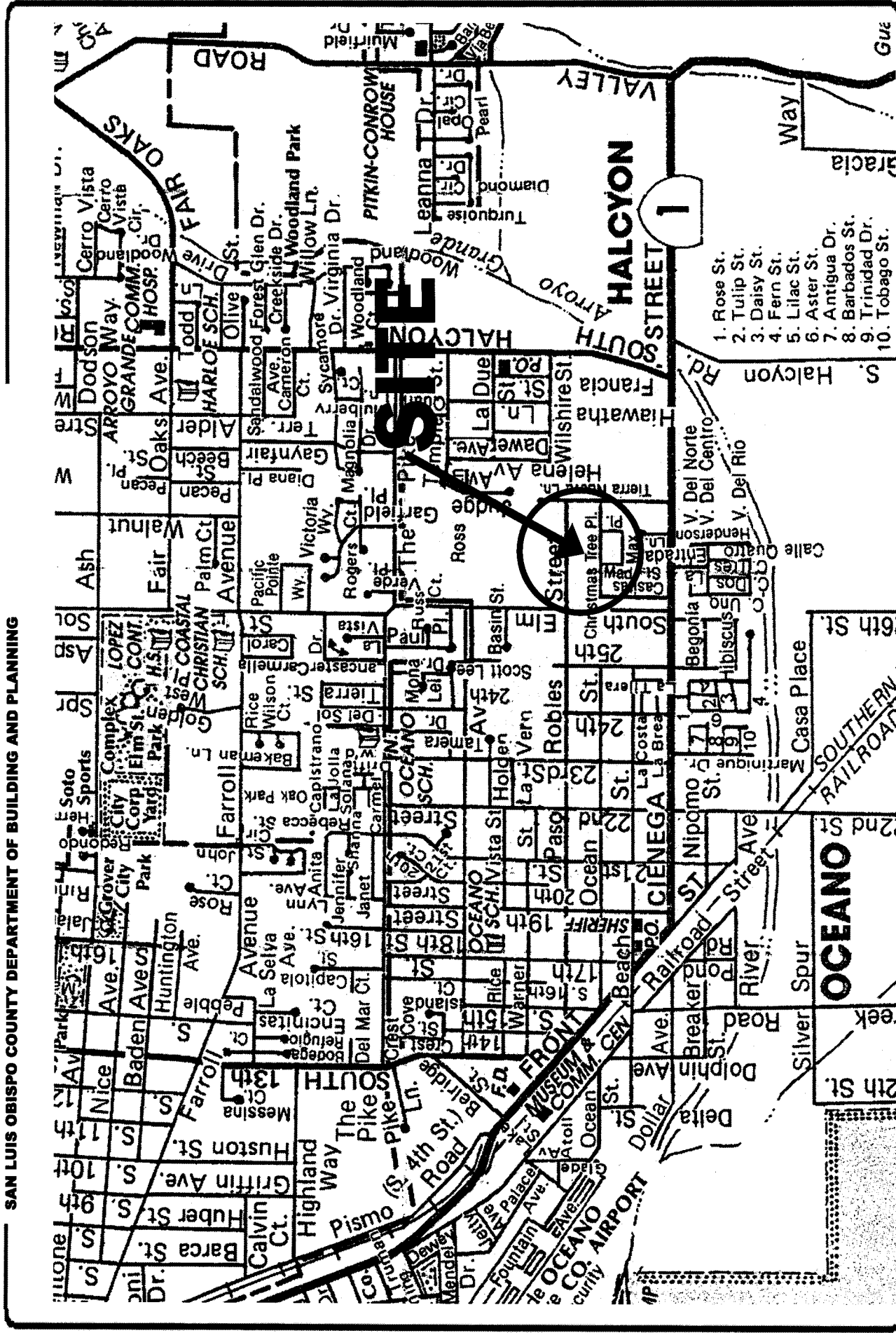
INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Require Quimby Fees and applicable Building Division fees.

11/30/04  
Date

JAN DILLON  
Name

X4089  
Phone



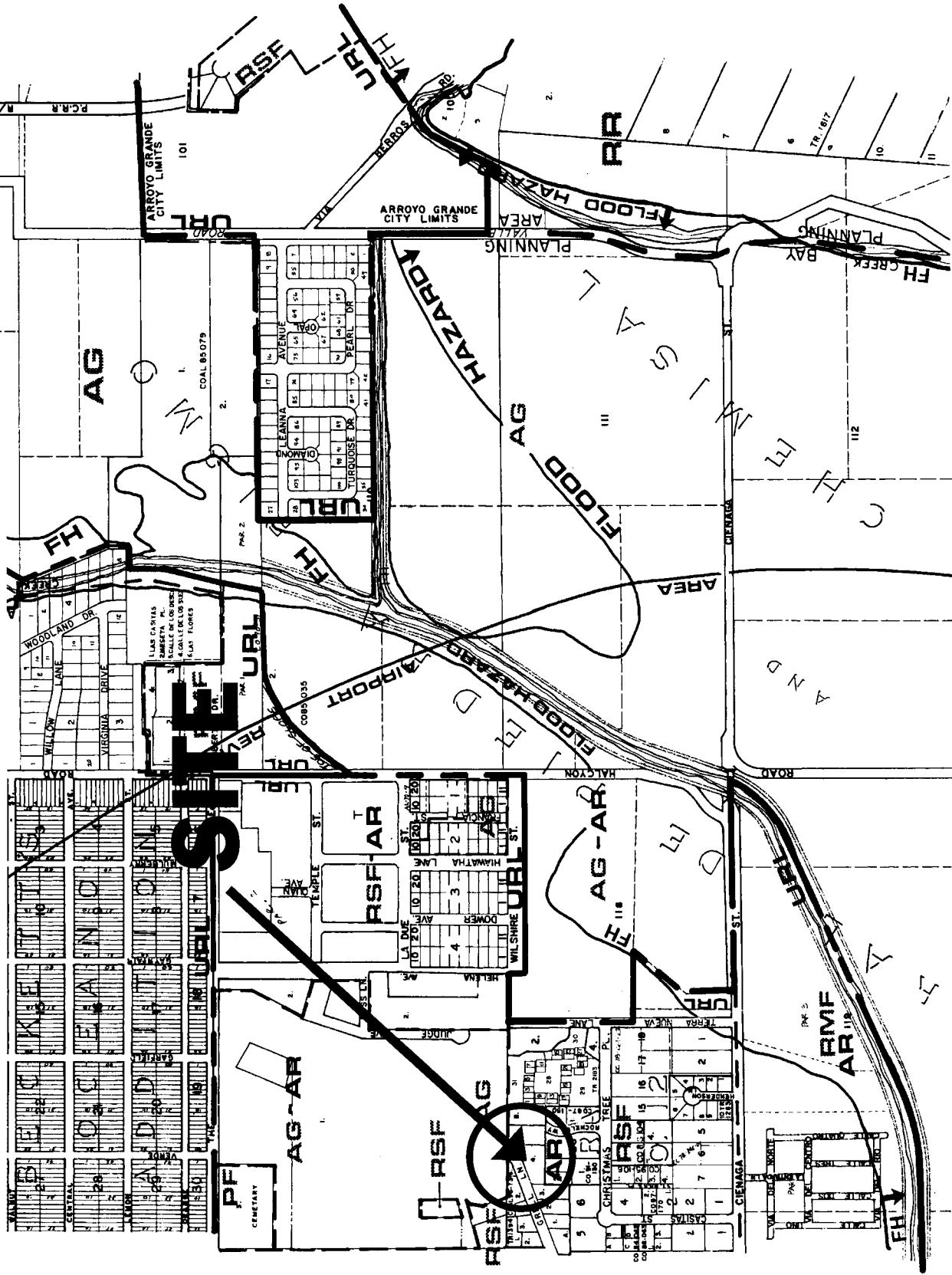
EXHIBIT

Vicinity Map



PROJECT

Parcel Map  
Monterio SUB2004-00176



PROJECT

Parcel Map  
Monterio SUB2004-00176

EXHIBIT

Land Use Category



5-96



Monteiro SUB2004-00176

# Site Plan



PROJECT

Parcel Map  
Monteiro SUB2004-00176

EXHIBIT

Aerial Photograph



5-18



5-47

COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
OFFICE MEMORANDUM

---

**DATE:** January 9, 2006  
**TO:** Subdivision Review Board  
**FROM:** Stephanie Fuhs, Planning  
**SUBJECT:** Monteiro parcel map CO 04-0502

---

Attached please find an agreement affecting real property for the parcel under consideration for Parcel Map CO 04-0502 provided by a neighbor of the proposed project on December 13, 2005.

The agreement states that future development on this parcel shall be limited to two residential units whether the development is on the current parcel or on a subsequent parcel through subdivision of the parent parcel (see attached correspondence and recorded agreement).

The agreement was not required as part of a County land use permit application, but entered into between parties along Grell Lane to limit development along this portion of the road. The agreement was recorded, however, does not show up on the title report for this parcel.

Staff recommends that the Subdivision Review Board take the matter into consideration when deciding whether to approve the subdivision as proposed.

5-50

**Matthew G. Guerrero**  
**Cynthia Valenzuela**  
2695 GRELL LANE  
OCEANO, CALIFORNIA 93401  
(805) 473-9264

December 13, 2005

Stephanie Fuhs  
County of San Luis Obispo Planning Department  
County Government Center  
San Luis Obispo, California 93408

RE: Agreement Affecting Real Property  
Parcel 4 of Parcel Map CO-84-80

Dear Ms. Fuhs,

Enclosed please find the Agreement Affecting Real Property for Parcel 4 of Parcel Map CO-84-80. Paragraph 4 states that this parcel "shall be limited in development to two residential units. Such development may be either in the form of subdivision and development of said Lot, or the addition of one new structure within the current area of said Lot." This agreement was signed by Charles P. Nichols, whom we bought the property from, and Gudrun Lendrop Grell who deeded the property to it's current owner. Paragraph 7 states that "This Agreement shall be binding upon and shall inure to the benefit of each of the parties and their respective heirs, grantees, successors and assigns." Obviously, there is already at least one residential unit on the property.

We have recently received notice from a Mr. Tom Girard that this lot is being split with the intention of building one single-family residence. We are alerting the county of the Agreement Affecting Real Property in the abundance of caution as previous voicemail messages seem to suggest that the county is unaware of this Agreement even though it has been recorded and notarized.

Our main concern at this time involves the roadway. Grell Lane is a very quaint private road that is currently 20 feet wide. While speaking with Mr. Girard, we were advised that he is seeking to ensure that Grell Lane remains at the current width rather than being enlarged. This will serve to protect the character of the neighborhood and property values of those who own homes on the street. Please be advised that we will assist however possible to ensure that the road is not widened.

As a final matter, we were not included on any mailings that were sent out to the neighbors. We would appreciate being included with all future notice.

5-51

**MATTHEW G. GUERRERO**  
**CYNTHIA L. VALENZUELA**

**December 13, 2005**  
**Page 2**

Thank you for your attention and consideration. Please do not hesitate to contact us if we can be of any assistance.

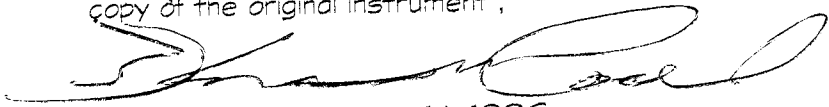
Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew G. Guerrero', with a stylized, flowing script.

**MATTHEW G. GUERRERO**

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The undersigned hereby certifies the following document to be a true and correct copy of the original instrument,

  
Stephen N. Cool, June 14, 1996

## AGREEMENT AFFECTING REAL PROPERTY

This Agreement, entered into this 10th day of June 1996 by and between GUDRUN LENDROP GRELL, as Trustee of THE GUDRUN L. GRELL REVOCABLE TRUST (GRELL), CHARLES P. NICHOLS and LISA K. NICHOLS (NICHOLS), and GRELL CO-HOUSING GROUP, INC. (CO-HOUSING):

1. NICHOLS each agree forthwith to execute, and cause to be executed, in recordable form the document entitled "Amended and Restated Declaration Establishing Conditions and Restrictions on Subdivision of Real Property", attached hereto marked Exhibit "A" and incorporated herein.

2. In consideration thereof, GRELL and CO-HOUSING agree to participate and cooperate in a lot line adjustment between property owned by GRELL described as Lot 4, Tract 1394, San Luis Obispo County, and NICHOLS' property described as Lot 5 of said Tract 1394. The adjustment shall be as follows:

The most easterly line of Lot 4 shall be moved westerly and be parallel with the existing residence on Lot 4, but no closer to it than 8.8 feet. The northerly property line between Lot 4 and 5 shall be moved 5.33 feet (more or less) northerly. It is acknowledged that such adjustment will result in an additional 1,349.86 feet being added to Lot 5 and deleted from Lot 4, and will maintain legal Lot status for Lot 4 under County lot size

5-5-3

requirements. This adjustment of lot lines shall take place after recordation of the amended declaration referred to in Paragraph 1. CO-HOUSING shall deposit twenty thousand dollars (\$20,000.00) into an escrow account. The funds in this account will be used to pay the necessary fees and expenses to complete the lot line adjustment. Upon recordation of the lot line adjustment, the remaining escrow account funds will be returned to CO-HOUSING. In the event that the lot line adjustment is not completed within one year from the date of this Agreement, then the remaining escrow account funds will be dispersed to NICHOLS. In the event that the NICHOLS do not reasonably cooperate in the lot line adjustment, the remaining escrow account funds will be returned to CO-HOUSING. GRELL shall not have any monetary or other responsibility to either NICHOLS or CO-HOUSING with respect to the lot line adjustment other than to cooperate therein per the terms of this Agreement. No consideration shall be required to be paid by NICHOLS for the additional land to be acquired under the lot line adjustment.

3. NICHOLS shall have a right of first refusal to purchase Lot 4 of Tract 1394 in the event that GRELL or her successors determine to sell said Lot. The procedure for such right of first refusal shall be as follows:

GRELL shall give to NICHOLS written notice of the proposed price and terms for the sale of Lot 4, together with an appraisal or other market data supporting the same. NICHOLS may either (a) accept the offer, (b) reject the offer, or (c) provide GRELL with a counter-offer supported by appraisal or other market data. Such acceptance, rejection or counter-offer shall occur within thirty (30) days of the offer, time being absolutely of the

5-34

essence as to said time limit. If NICHOLS should counter-offer GRELL'S offer, and if NICHOLS and GRELL cannot then agree on the price and/or terms of sale, the same shall be resolved by binding arbitration by a neutral arbitrator appointed by the Pismo Coast Board of Realtors or, if they shall fail to assume jurisdiction, by the San Luis Obispo County Superior Court under the Judicial Arbitration Rules of the Code of Civil Procedure. The arbitration shall be held within sixty (60) days after arbitration is requested.

This Agreement shall not be deemed to prevent the parties from voluntarily agreeing to a sale of Lot 4 to NICHOLS at any time.

A memorandum of NICHOLS right of first refusal shall be recorded. If GRELL'S offer is not accepted by NICHOLS as provided in this Section, NICHOLS' right of first refusal shall terminate, and NICHOLS shall forthwith execute and deliver to GRELL in recordable form, a quitclaim deed releasing all of their rights of first refusal as to Lot 4

4. GRELL agrees that her property described as Parcel 4 of Parcel Map CO-84-80 shall be limited in development to two residential units. Such development may be either in the form of subdivision and development of said Lot, or the addition of one new structure within the current area of said Lot.

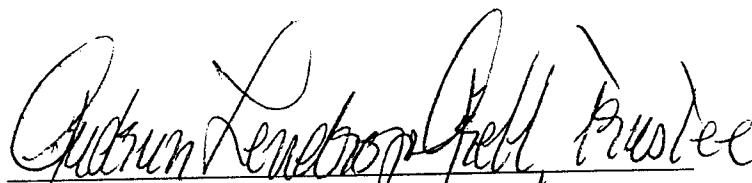
5. NICHOLS may construct a garage and upstairs dwelling unit on Lot 5, but may not construct an additional separate dwelling on Lot 5.

6. Notwithstanding the provision in the attached instrument stating that vehicular access to subdivided lots be provided by streets other than Grell Lane, Nichols acknowledges and agrees that Grell Lane may be used for emergency access, only, to and from Lots 19, 20, 21, 30, and 31 of Tract 12, also known as the Co-Housing Project. CO-HOUSING, agrees


that residents of the Grell Co-Housing project may not use Grell Lane for pedestrian or vehicular access to Elm Street, that it will make this restriction part of its operating rules, and that it will take reasonable measures to enforce the same. Any modification to such rules as to the use of Grell Lane shall require NICHOL'S prior approval.

7. This Agreement shall be binding upon and shall inure to the benefit of each of the parties and their respective heirs, grantees, successors and assigns.

8. In the event of litigation arising under this Agreement or any of its terms, the prevailing party shall be entitled to an award of attorneys' fees.

  
 \_\_\_\_\_  
 GUDRUN LENDROP GRELL, Trustee

  
 \_\_\_\_\_  
 CHARLES P. NICHOLS

  
 \_\_\_\_\_  
 LISA K. NICHOLS

GRELL CO-HOUSING GROUP, INC.

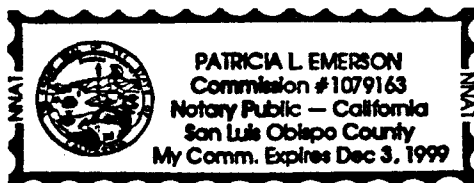
By:   
 \_\_\_\_\_  
 RICHARD LOBDILL, President

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of San Luis Obispo

On June 10, 1996 before me, Patricia L. Emerson, Notary Public,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"  
personally appeared Gudrun Lendrop Grell-----  
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

*Patricia L. Emerson*  
SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

### DESCRIPTION OF ATTACHED DOCUMENT

Agreement Affecting Real Property  
TITLE OR TYPE OF DOCUMENT

Four  
NUMBER OF PAGES

June 10, 1996  
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

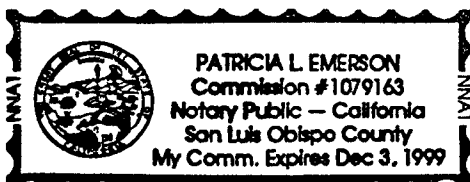
State of California

County of San Luis Obispo

On June 10, 1996 before me, Patricia L. Emerson, Notary Public,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Charles P. Nichols and Lisa K. Nichols-----,  
NAME(S) OF SIGNER(S)

☐ personally known to me - **OR** - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

*Patricia L. Emerson*  
SIGNATURE OF NOTARY

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☐ OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

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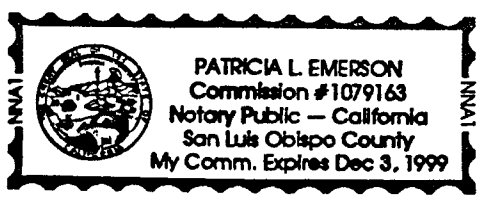
State of California

County of San Luis Obispo

On June 10, 1996 before me, Patricia L. Emerson, Notary Public,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Richard Lobdill-----,  
NAME(S) OF SIGNER(S)

☐ personally known to me - **OR** - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



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NAME OF PERSON(S) OR ENTITY(IES)

\_\_\_\_\_  
\_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE

5-59

**Julie Rodewald**  
San Luis Obispo County  
Clerk/Recorder

07/09/02 08:41AM

Receipt # 05510  
Cashier SK

Public

002002055386  
Recording Fees \$25.00  
Document Total \$25.00

Total Recording Fees \$25.00

\*\* TOTAL 25.00

Cash 25.00

PLEASE KEEP FOR REFERENCE

102595-01-M-1424

Domestic Return Receipt

PS Form 3811, March 2001

7000-1670-0001-6682-718

2. Article Number

(Transfer from service label)

*Handwritten:*  
Audungrail  
Box 7092  
Helena, MT 59621

1. Article Addressed to:

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Received by (Please Print Clearly) \_\_\_\_\_

B. Date of Delivery \_\_\_\_\_

C. Signature *[Signature]*

D. Is delivery address different from item 1? ☒ Yes ☐ No

If YES, enter delivery address below: \_\_\_\_\_

E. ☒ Addressee ☐ Agent

3. Service Type

☒ Certified Mail ☐ Registered Mail ☐ Insured Mail

☐ Express Mail ☐ Return Receipt for Merchandise ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

COMPLETE THIS SECTION ON DELIVERY

SENDER: COMPLETE THIS SECTION